



DELTA STEWARDSHIP COUNCIL

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Certification of Consistency Form

Use this form to:

Certify with the Council, that a proposed Covered Action (plan, program, or project) is consistent with the Delta Plan.

Note: This form has not been reviewed or approved by the Delta Stewardship Council

Section 1

Agency Profile

A. GOVERNMENT AGENCY:

☐

State Agency

☐

Local Agency

Agency Name: _____

Agency Contact Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Fax: _____

Agency Contact _____

E-mail Address: _____

@

Section 2

Covered Action Profile

A. COVERED ACTION PROFILE:

☐

PLAN

☐

PROGRAM

☐

PROJECT

Covered Action Title: _____

(Not to exceed 50 characters)

Proponent Completing

Covered Action: _____

Proponent Address: _____

City

State

Zip: _____

B. COVERED ACTION SUMMARY FROM THE APPROVED CEQA DOCUMENT:

C. STATE CLEARINGHOUSE NUMBER: _____

D. COVERED ACTION DETAILS:

(a) Time Line: EXPECTED START DATE: _____ ANTICIPATED COMPLETION DATE: (If Applicable) _____

(b) Total Projected Cost: \$ _____

Please provide your best estimate of the total cost of the Plan, Program, or Project. Please list all sources used for developing the cost estimates.

E. DID YOU HAVE EARLY CONSULTATION ABOUT THE COVERED ACTION? ☐ YES _____ ☐ NO _____

[\(CLICK HERE TO ATTACH ADDITIONAL DOCUMENTS TO SECTION 2\)](#)

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Section 3		Government Approvals					
Agency	Required YES NO		Type of Approval	Approval Number	Date Issued or Expected	Date Expires	Agency Contact and Phone Number
Local Government Discretionary Approval(s)	<input type="checkbox"/>	<input type="checkbox"/>					
Delta Protection Commission	<input type="checkbox"/>	<input type="checkbox"/>					
Bay Conservation and Development Commission	<input type="checkbox"/>	<input type="checkbox"/>					
State Lands Commission	<input type="checkbox"/>	<input type="checkbox"/>					
CalTrans	<input type="checkbox"/>	<input type="checkbox"/>					
State Water Resources Control Board	<input type="checkbox"/>	<input type="checkbox"/>					
Regional Water Quality Control Board	<input type="checkbox"/>	<input type="checkbox"/>					
Department of Toxic Substances Control	<input type="checkbox"/>	<input type="checkbox"/>					
Department of Fish and Game	<input type="checkbox"/>	<input type="checkbox"/>					
U.S. Army Corp of Engineers	<input type="checkbox"/>	<input type="checkbox"/>					
U.S. Fish and Wildlife Service	<input type="checkbox"/>	<input type="checkbox"/>					
State Boating and Waterways	<input type="checkbox"/>	<input type="checkbox"/>					
NOAA Fisheries	<input type="checkbox"/>	<input type="checkbox"/>					
U.S. Coast Guard	<input type="checkbox"/>	<input type="checkbox"/>					
Other Approval (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>					

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Section 4

Consistency with Delta Plan

Information to be submitted as Certificate of Consistency

Certifications of consistency with the Delta Plan must address the following:

Governance Chapter 3

Policy No.	Certification Consistency Requirements	Attachments
G P1	A covered action must be consistent with each of the policies contained in the Delta Plan implicated by the covered action. Provide a narrative documenting how the Covered Action is consistent with the coequal goals and the inherent objectives .	<input type="radio"/>
	Disclose all potentially significant adverse environmental impacts and feasible mitigations of those adverse impacts.	<input type="radio"/>
	As relevant to the purpose and nature of the project, submit documentation on the use of best available science as described in Chapter 2 . This documentation should be consistent with the guidelines and criteria developed by the National Research Council and the State of Washington. Proposed Covered Actions should document that the science used follows the criteria adapted from the National Research Council report as they apply to the Delta, summarized in Table 2.1	<input type="radio"/>
	For all ecosystem restoration and water management covered actions, include documentation of adequate provisions, appropriate to the scope of the covered action, that assures continued implementation of adaptive management consistent with the Delta Plan This requirement shall be satisfied through the submittal of: <ul style="list-style-type: none"> An adaptive management plan that describes the approach to be taken for each of the nine steps of the Adaptive Management Framework as described in Chapter 2 of the Delta Plan, And <ul style="list-style-type: none"> Documentation of access to adequate resources and delineated authority by the entity responsible for the implementation of the proposed adaptive management process. 	<input type="radio"/>
	Provide documentation that the covered action is in compliance at all times with existing applicable law.	<input type="radio"/>

Water Supply Chapter 4

If any of the following policies are not applicable, proponent must provide explanation and provide documentation conclusively demonstrating that this policy does not apply to this Covered Action.

Policy No.	Is the Covered Action Consistent with the Policy?			Certification Documentation	Attachments
	YES	NO	N/A		
WR P1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<u>Urban Water Supplier's - Submit the following:</u> <ul style="list-style-type: none"> Documentation from Department of Water Resources that Urban Water Management Plan and all required elements and measures was accepted and deemed complete. Documentation that governing authority has adopted and implemented the Urban Water Management Plan. Documentation that the governing authority has adopted and implemented a plan to achieve 20 percent reduction in statewide urban per capita water use by December 31, 2020, meeting the standards and timelines established in Water Code section 10608 et seq. 	<input type="radio"/>

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				<u>Agricultural Water Supplier (After December 31, 2012) - Submit the following:</u> <ul style="list-style-type: none"> Documentation that the governing authority has adopted and implemented specific Agricultural Efficient Water Management Practices as established in Water Code section 10608 et seq. Documentation from Department of Water Resources that an Agricultural Water Management Plan and all required elements was accepted and deemed complete as established in Water Code section 10800 et seq. Documentation that the governing authority has adopted and implemented the Agricultural Water Management Plan. 	<input type="radio"/>
				<u>Water Suppliers</u> <u>After December 31, 2016:</u> Submit the new or expanded Water Supply Reliability Element from an accepted Urban Water Management/Agricultural Water Management Plan or from an approved Integrated Regional Water Management Plan or other plan that provides equivalent information. The Water Supply Reliability Element shall include all the information detailed in Policy WR P1. <u>After December 31, 2021:</u> Submit documentation that the governing authority has implemented a conservative oriented rate structure.	<input type="radio"/>
WR P2:	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Submit documentation that the process to develop new water supply contracts, modify existing water supply contracts, renew existing water supply contracts, or development of any other agreement to export water from, transfer water through, or use water in the Delta included public participation. The documentation may include copies of all notices informing the public of the negotiations and inviting them to observe as well as provide documentation that the public was given opportunities to comment during the processes.	<input type="radio"/>

Ecosystem Chapter 5

If any of the following policies are not applicable, proponent must provide explanation and provide documentation conclusively demonstrating that this policy does not apply to this Covered Action.

Policy No.	Is the Covered Action Consistent with the Policy?			Certification Documentation	Attachments
	YES	NO	N/A		
ER P1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Provide appropriate permits illustrating the proposed project's development, implementation and enforcement of new and updated flow requirements for the Delta and high priority tributaries.	<input type="radio"/>
ER P2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	For proposed habitat restoration projects, provide a map in GIS based on Figure 5-2, Habitat Types Based on Elevation, of the Delta Plan that shows the location of the project and submit documentation from the Department of Fish and Game (DFG) stating that the proposed habitat restoration project is consistent.	<input type="radio"/>
ER P3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Submit documentation from DFG that the proposed project either avoids or mitigates the adverse impacts to habitat restoration opportunities as shown in Figure 5-2.	

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ER P4	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	For Delta levee construction and/or rehabilitation projects, submit documentation stating alternatives that would increase the extent of floodplain and riparian habitats, such as setback levees, were evaluated and incorporated into the project. If those alternatives were not incorporated into the project, explain and provide documentation supporting why those options are not feasible.	<input type="radio"/>
ER P5	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Submit documentation that the potential for new introductions of, or improved habitat conditions for nonnative invasive species has been fully considered and avoided or mitigated in a way that appropriately protects the ecosystem.	<input type="radio"/>

Risk Reduction Chapter 7

If any of the following policies are not applicable, proponent must provide explanation and provide documentation conclusively demonstrating that this policy does not apply to this Covered Action.

Policy No.	Is the Covered Action Consistent with the Policy?			Certification Documentation	Attachments
	YES	NO	N/A		
RR P1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Submit a map of the project location that includes locations and extent of floodways in proximity to the project. If project is within or diminishes floodway, submit a mitigation plan with all hydraulic analysis and calculations (including all inputs and assumptions) demonstrating the mitigation measures are capable of passing the flood flows.	<input type="radio"/>
RR P2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<p>Submit a map that includes the project location, the areas described below, and their proximity to each other, showing that the project does not encroach upon those areas</p> <ul style="list-style-type: none"> • Areas located in the Yolo Bypass from Fremont Weir through Cache Slough to the Sacramento River including the confluence of Putah Creek into the bypass. • The Cosumnes River-Mokelumne River Confluence, as defined by the North Delta Flood Control and Ecosystem Restoration Project (McCormack-Williamson), or as modified in the future by the Department of Water Resources or the U.S. Army Corps of Engineers (DWR 2010a). • The Lower San Joaquin River Floodplain bypass, located on the Lower San Joaquin River upstream of Stockton immediately southwest of Paradise Cut on lands both upstream and downstream of the Interstate 5 crossing. This area is described in the Lower San Joaquin River Floodplain Bypass Proposal, submitted to the Department of Water Resources by the partnership of the South Delta Water Agency, the River Islands Development Company, RD 2062, San Joaquin Resource Conservation District, American Rivers, the American Lands Conservancy, and the Natural Resources Defense Council, March 2011. This area may be modified in the future through the completion of this project. 	<input type="radio"/>
RR P3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<p>Submit the following:</p> <ul style="list-style-type: none"> • A map of the proposed project location that includes the locations of all the levees that will be providing flood protection for the project. • Documentation that the levees protecting the proposed project meet the minimum design classification for the appropriate land use as defined in Table 7-1. • If the existing levee's classifications are inadequate for the proposed land use 	<input type="radio"/>

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				type, the proposed project must include provisions for constructing new levees that meet the minimum design classification for the proposed land use as defined in Table 7-1 .	
RR P4	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Submit documentation demonstrating that any State Funds used for levee improvements are consistent with Delta Levees Special Flood Control Projects – Near Term Guidelines for Providing Funding.	<input type="radio"/>

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Submit

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